

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

TIMOTHY WANDELL, a single man,  
  
Plaintiff,

vs.

Civ. No. 97-1299 JC/WWD

6001 INC., a New Mexico corporation, et al.,  
  
Defendants.

MEMORANDUM OPINION AND ORDER

This matter comes before the Court *sua sponte*. Pursuant to Independent Counsel's Motion for Protective Order seeking "a protective order staying discovery pending a ruling upon Independent Counsel's Motion to Dismiss or Stay", an order of stay was entered April 3, 1998. On April 9, 1998, the Honorable John E. Conway denied Defendant TBCH Inc.'s Motion to Stay or Dismiss; accordingly, the reason for the order of stay I entered on April 3, 1998, no longer exists. There is no need for further delay, and there is no need for a telephone conference with the parties on May 20, 1998.

**WHEREFORE,**

**IT IS ORDERED** that the order of stay entered in this cause on April 3, 1998, is vacated and set aside.

**IT IS FURTHER ORDERED** that the schedule for pre-trial deadlines in this cause shall be as follows:

Discovery ends: July 28, 1998

Discovery motions filed or served in accordance with  
D.N.M. LR-Civ. 7 by: August 17, 1998

Plaintiff identify experts and provide expert reports pursuant  
to Fed. R. Civ. P. 26(a)(2)(B) by: May 15, 1998

Defendants identify experts and provide expert reports pursuant  
to Fed. R. Civ. P. 26(a)(2)(B) by: June 12, 1998

Pre-trial motion packages shall be filed by: September 24, 1998

Plaintiff shall submit a final pre-trial order to Defendants by: September 29,  
1998; Defendants shall submit the pre-trial order to the Court by:  
October 9, 1998.

**FINALLY, IT IS ORDERED** that the settlement conference scheduled before me on  
May 12, 1998, is vacated.

  
UNITED STATES MAGISTRATE JUDGE